

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 41-43, 48-69, and 71 are pending. New Claim 71 is added by the present amendment. As new Claim 71 is supported by the original disclosure,¹ no new matter is added.

In the outstanding Office Action, Claims 41-43 and 48-69 were rejected under 35 U.S.C. §102(e) as anticipated by Bieganski et al. (U.S. Patent No. 6,412,012, hereinafter “Bieganski”).

The outstanding rejection is respectfully traversed.

Claim 41 recites in part:

a recording unit configured to record the group of contents including a plurality of contents, history data indicative of usage history of the contents, and at least two filtering data sets, each of the at least two filtering data sets defining a filtering criteria as a computation of a weight per each of the contents in accordance with a respective filtering criteria;

a filtering criteria setting unit configured to set the filtering data sets based on the history data input by a user;

a computing unit configured to compute a weight per each of the contents based on both the history data and one of the at least two filtering data sets set by the filtering criteria setting unit;

a selecting unit configured to select a content from the group of contents based on the weight computed by the computing unit and to create at least two filtering packages which are different combinations of the contents from the group of contents, each of the at least two filtering packages represents a list of content identification information identifying the content selected;

a displaying unit configured to display the group of contents and the at least two filtering packages representing the list including the combinations of the contents; and

a reproducing unit configured to reproduce the content included in a filtering package read from the

¹See, e.g., page 36, lines 10-15 of the specification.

recording unit if the user selects the content in the list of the filtering package.

Bieganski describes a system for making recommendations to a user based on user preference data compiled based on a history of a user choices.² The outstanding Office Action cited engines 1110 and 1212, column 18, line 33 to column 19, line 43, and Figures 11 and 12 of Bieganski as describing “a reproducing unit” as defined in Claim 41.³

However, engines 1110 and 1212 of Bieganski simply provide recommendations based on compatibility information. It is respectfully submitted that engines 1110 and 1212 of Bieganski do not *reproduce* any content in any list if the user selects the content. Accordingly, Bieganski cannot describe “a reproducing unit configured to reproduce the content included in a filtering package read from the recording unit if the user selects the content in the list of the filtering package.” Consequently, Claim 41 (and Claims 42, 43, 69, and 71 dependent therefrom) is not anticipated by Bieganski and is patentable thereover.

As Claims 48 and 67 also recite “a reproducing unit configured to reproduce the content included in a filtering package read from the recording unit if the user selects the content in the list of the filtering package,” Claims 48 and 67 are patentable for at least the reasons described above with respect to Claim 41.

Claims 53, 55, 60, 62, and 68 recite in part “*reproducing the content included in a filtering package read from the recording unit if the user selects the content in the list of the filtering package.*”

As noted above, Bieganski only describes making recommendations for purchasing products, and thus cannot describe “reproducing the content included in a filtering package read from the recording unit if the user selects the content in the list of the filtering package.”

²See Bieganski, column 7, lines 26-45.

³See the outstanding Office Action at page 5.

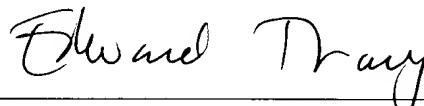
Consequently, Claims 53, 55, 60, 62, and 68 (and Claims 54, 56-59, 61, and 63-67 dependent therefrom) are not anticipated by Bieganski and are patentable thereover.

Finally, new Claim 71 is supported at least by page 36, lines 10-15 of the specification. As new Claim 71 depends from Claim 41, new Claim 71 is patentable for at least the reasons described with respect to Claim 41. Further, new Claim 71 recites subject matter that further defines over Bieganski. In this regard, it is respectfully submitted that engines 1110 and 1212 of Bieganski are not configured to reproduce audio content included in a filtering package read from the recording unit if a user selects an audio content in the list of the filtering package by outputting sound corresponding to the audio content from a speaker. Accordingly, new Claim 71 further patentably defines over Bieganski.

Accordingly, the pending claims are believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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